

**APPROVED
CODE ENFORCEMENT BOARD
SEMINOLE COUNTY, FLORIDA**

MINUTES

**July 29, 2004 - 1:30 pm
Seminole County Services Building – Room 1028
1101 East First St, Sanford FL**

I Call to Order

The scheduled meeting of the Seminole County Code Enforcement Board was called to order at 1:30 pm in the Seminole County Services Building, Room 1028, 1101 East First St, Sanford FL.

A few moments of silence was held followed by the Pledge of Allegiance.

II Pledge of Allegiance

III Roll Call

Members Present: Bill Fahey, Acting Chair
Stewart Fritz
Anne Blakey
Larry Lawver

Members Excused: Tom Hagood
Jean Metts
Jay Ammon

Present & Sworn: David Krohne, 03-98-CEB, Respondent
Mary Ellen Duane, 03-98-CEB, Respondent
Jonathan Brand, Attorney for Respondent, 04-08-CEB
Deborah Leigh, Senior Code Enforcement Officer, SCSO
Donna Wisniewski, Code Enforcement Officer, SCSO
Dorothy Hird, Code Enforcement Officer, SCSO
Pamela Taylor, Code Enforcement Officer, SCSO
Joann Davids, Code Enforcement Officer, SCSO
Jerry Robertson, Code Enforcement Officer, SCSO

Others Present: Yvette Brown, Acting Code Enforcement Board Attorney
Connie R. DeVasto, Clerk to the Code Enforcement Board

IV Swearing in of Witnesses

Mark Leavitt, Attorney at Law, Witness

.....

V Agenda Update & Approval

The published agenda was revised to allow respondents and witnesses present at today's hearing to be heard first. The remaining cases would then be heard in the order originally published.

**MOTION BY LARRY LAWVER, SECONDED BY STEWART FRITZ
TO APPROVE THE REVISED AGENDA.**

**BILL FAHEY – YES
STEWART FRITZ – YES**

**LARRY LAWVER – YES
ANNE BLAKEY – YES**

MOTION CARRIED 4 – 0.

.....

The following cases will not be heard today:

John W. Rutherford, 04-39-CEB, Continued at Staff Request
Dumas, Orr and Chestnut, 04-49-CEB, Complied Prior to Hearing
Mendi L. Kidd, 04-50-CEB, Complied Prior to Hearing
Robert Eriksson and Nancy White, 04-52-CEB, Complied Prior to Hearing
Kenneth J. Lima II, 04-53-CEB, Complied Prior to Hearing

.....

SEMINOLE COUNTY CODE ENFORCEMENT BOARD HEARING
JULY 29, 2004

Case No: 04-08-CEB
Annie McDaniel
Code Enforcement Officer: Joann Davids
Complaint No: 2003CE000312

Respondent's Attorney submitted a request to appear before the Board to request an extension of the compliance date. The Board entered an Order giving the Respondent a compliance date of April 2, 2004. An Affidavit of Non-Compliance has been filed by the Code Officer on April 7, 2004.

Violation Charged: Seminole County Code, Chapter 95, Section 95.4 as defined in Section 95.3(f)(g)(h)(i)(j)(l).

Described as:

- 1) Unusable or abandoned appliances.
- 2) Trash and debris.
- 3) Uncultivated vegetation in excess of 24" in height located within 75' of a structure.
- 4) The remains or rubble of a structure which has been burned, stricken by casualty or demolished.
- 5) Used or scrap building materials.
- 6) Junked or abandoned vehicle(s).

Location: 718 Arletta St., Altamonte Springs (Commission District)
Tax Parcel ID # 21-21-29-300-0200-0000

Jonathan Brand, Attorney for Respondent, testified on behalf of Annie McDaniel and entered into evidence documentation of the Respondent's attempt to resolve her violations.

Mr. Brand testified that the Respondent has been working diligently to comply with the Board's Order and requested that the Board stop the existing fine, rescind the accrued fine to date and extend the compliance date for 90 days.

Mr. Brand further advised that prior to her original compliance date, the Respondent applied for a grant with CDBG to get funds to help with the clean up of her property. To-date, the Respondent has not received approval.

Mr. Mark Leavitt, Attorney/Witness, testified that the Respondent could not be present at this hearing today because she works double shifts to make ends meet.

Joann Davids, Code Enforcement Officer, testified on behalf of the County and advised that Staff supports the request to extend the compliance date. Officer Davids confirmed that she has been working with CDBG since October of 2003 to help the Respondent get approval.

SEMINOLE COUNTY CODE ENFORCEMENT BOARD HEARING

JULY 29, 2004

Officer Davids also testified that CDBG believes the accruing fine is a "cloud" that hinders the approval process and read an excerpt from an email she received from Gilbert Monasterios with CDBG which stated that he needs to know that there is no longer a "code issue" before progress can be made.

After discussion of this case by the Board:

**MOTION BY ANNE BLAKEY, SECONDED BY LARRY LAWVER
THAT THE ORDER RESCINDING FINE AND ESTABLISHING NEW
COMPLIANCE DATE BE:**

**ORDER RESCINDING FINE AND ESTABLISHING
NEW COMPLIANCE DATE**

The Respondent is the owner of record of the property (Tax Parcel # 21-21-29-300-0200-0000) located at 718 Arletta Street, Altamonte Springs, located in Seminole County and legally described as follows:

LEG SEC 21 TWP 21S RGE 29E W 330 FT OF E
460 FT OF N 390 FT OF SE ¼ OF SE ¼ (LESS RD)

This case came on for public hearing before the Code Enforcement Board of Seminole County on the January 22, 2004, after due notice to the Respondent. The Board, having heard testimony under oath and having received evidence, issued its Findings of Fact, Conclusions of Law and Order.

Said Order found Respondent in violation of Seminole County Code, Chapter 95, Section 95.4 as defined in 95.3(f)(g)(h)(i)(j)(l).

Said Order stated that a fine in the amount of \$100.00 per day would be imposed if the Respondent did not take certain corrective action by April 2, 2004.

An Affidavit of Non-Compliance bearing the date of April 7, 2004, has been filed with the Board by the Code Enforcement Officer, which Affidavit certifies under oath that the required action has not been obtained.

Accordingly, it having been brought to the Board's attention that Respondent requires additional time in which to bring the property into compliance, it is the Order of the Board that the Respondent's compliance date be extended to **November 1, 2004**.

It is further Ordered that the fine that has accrued from April 3, 2004 through and including July 29, 2004, in the amount of \$11,700.00, **be rescinded**.

SEMINOLE COUNTY CODE ENFORCEMENT BOARD HEARING

JULY 29, 2004

This Order shall be recorded in the official land records of Seminole County.

DONE AND ORDERED this 29th day of July, 2004, in Seminole County, Florida.

**BILL FAHEY – YES
STEWART FRITZ – YES**

**LARRY LAWVER – YES
ANNE BLAKEY – YES**

MOTION CARRIED 4 – 0.

.....
Case No: 03-98-CEB
Robert E. Miller, Trustee FBO, Previous Owner
David W. Krohnr, Current Owner
Code Enforcement Officer: Pamela Taylor
Complaint No: 03-03107

(Correct spelling of Respondent's name is Krohne. Property Appraiser lists owner as Krohnr)

This case was heard by the Board on December 4, 2003 and an Order was entered giving the Respondent a compliance date of June 4, 2004. An Affidavit of Non-Compliance was filed by the Code Officer on June 16, 2004. An Affidavit of Compliance was filed on June 23, 2004. This property is currently in compliance.

Requested Board action: Staff requests that Board issue an Order constituting a lien in the amount of \$2,550.00, 17 days of non-compliance at \$150.00 per day from June 5, 2004 through June 22, 2004, be recorded in the public records.

Violation Charged: Seminole County Code, Chapter 95, Section 95.4 as defined in 95.3(g)(l) and Seminole County Land Development Code, Chapter 40, Section 40.12(a).

Described as: 1) Conducting business(es) without an approved site plan.

Location: 415 Fairy Lake Lane, Longwood (Commission District 4)

Tax Parcel ID # 05-21-30-523-0000-00A1 and

Tax Parcel ID # 05-21-30-523-0000-00A0

David Krohne, Respondent, testified on his behalf and advised the Board that the property is in compliance at this time. Mr. Krohne also advised that after this case was heard by the Board in December of 2003, he shut down all the businesses that were conducted on this property.

SEMINOLE COUNTY CODE ENFORCEMENT BOARD HEARING

JULY 29, 2004

Mary Ellen Duane Krohne, Respondent, testified on her behalf and advised the Board that they did have a problem with one of the tenants because there was some time when they could not locate him to have him remove his personal property.

Mr. Krohne requested that the Board rescind the fine/lien that has accrued on his property.

Pamela Taylor, Code Enforcement Officer, testified on behalf of the County and advised the Board that after a phone call in May with the Respondent, Mary Ellen Duane Krohne, significant progress was made to come into compliance. Officer Taylor stated that Staff recommendation would be to reduce the fine to \$255.00 and impose Administrative Costs for processing this case in the amount of \$391.90.

After discussion of this case by the Board:

**MOTION BY LARRY LAWVER, SECONDED BY ANNE
BLAKEY THAT THE ORDER IMPOSING FINE/LIEN BE:**

ORDER IMPOSING FINE/LIEN

The Respondent is the owner of record of the property (Tax Parcel ID #05-21-30-523-0000-00A1 AND #05-21-30-523-0000-00A0) located at 415 Fairy Lake Lane, Longwood, located in Seminole County and legally described as follows:

LEG BEG 505 FT NELY ALONG RD FROM S COR
OF LOT A RUN S 46 DEG 13 MIN W 100 FT N, 39
DEG 09 MIN W 600 FT N 50 DEG 39 MIN W 55 FT
TO LAKE NELY ALONG LAKE TO PT, N 41 DEG 18
MIN W OF POB S 41 DEG 18 MIN E 672 FT M/L TO POB
FAIRY LAKE PARK PB 7 PG 36

This case came on for public hearing before the Code Enforcement Board of Seminole County on December 4, 2003 after due notice to the Respondent. The Board, having heard testimony under oath and having received evidence, issued its Findings of Fact, Conclusions of Law, and Order.

Said Order found Respondent in violation of Seminole County Land Development Code, Chapter 40, Section 40.12(a).

Said Order stated that a fine in the amount of \$150.00 per day would be imposed if the Respondent did not take certain corrective action by June 4, 2004.

An Affidavit of Compliance has been filed with the Board by the Code Officer, which Affidavit certifies under oath that the required action had been obtained on June 23, 2004.

SEMINOLE COUNTY CODE ENFORCEMENT BOARD HEARING
JULY 29, 2004

Accordingly, it having been brought to the Board's attention that Respondent has complied with the Order dated December 4, 2003. Compliance was obtained 17 days after the required date for compliance. Therefore, the Board orders the fine in the amount of \$2,550.00 for 17 days of non-compliance at \$150.00 per day, be reduced to a fine of \$255.00. It is further Ordered that the Administrative Costs for processing this case in the amount of \$391.90, be imposed against the Respondents.

The Respondents shall have **30 days** in which to pay **\$646.90** (the fine of \$255.00 and the Administrative Costs of \$391.90). If the Respondents do not pay the **\$646.90 on or before August 30, 2004**, the fine will revert back to the original amount of \$2,550.00 and will constitute a lien against the land on which the violation exists and upon any other real or personal property owned by the Respondent.

This Order shall be recorded in the public records of Seminole County, Florida.

DONE AND ORDERED this 29th day of July, 2004, in Seminole County, Florida.

**BILL FAHEY – YES
STEWART FRITZ – YES**

**LARRY LAWVER – YES
ANNE BLAKEY – YES**

MOTION CARRIED 4 – 0.

.....
Case No 00-101-CEB
Alan W. & Aileen S. Davis
Code Enforcement Officer: Dorothy Hird
Complaint No: 2000-03228

This is a Repeat Violation. The original violation was heard by the Board on December 7, 2000 and an Order was entered. Compliance was obtained on the original violation on October 17, 2003. An Affidavit of Repeat Violation was filed on June 28, 2004. The property is not in compliance at this time.

Violation charged: Seminole County Code, Chapter 95, Section 95.4 as defined in Section 95.3(h).
Described as: 1) Uncultivated vegetation in excess of 24" in height and within 75' of a structure.
Location: 349 E Alpine Street, Altamonte Springs (Commission District 4)
Tax Parcel ID # 11-21-29-503-0G00-0220.

SEMINOLE COUNTY CODE ENFORCEMENT BOARD HEARING
JULY 29, 2004

Dorothy Hird, Code Enforcement Officer, testified on behalf of the County and advised the Board that she re-inspected the Respondent's property earlier today and the violation remains.

After discussion of this case by the Board:

**MOTION BY STEWART FRITZ, SECONDED BY ANNE
BLAKEY THAT THE ORDER OF REPEAT VIOLATION BE:**

ORDER OF REPEAT VIOLATION

The Respondents are in violation of the Seminole County Code, Chapter 95, as defined in Section 95.3(h) based on the following findings:

- (a) The Respondents are the owners of record of the property (Tax Parcel ID #11-21-29-503-0G00-0220) located at 349 E. Alpine Street, Altamonte Springs, located in Seminole County and legally described as follows:

LEG LOTS 22 + 23 BLK G WEST ALTAMONTE HEIGHTS SEC
PB 10 PG 75

- (b) The Respondents are in possession/control of the property.

Based on the testimony and evidence presented, the Respondents are in repeat violation of the Seminole County Code, as stated in the original Findings of Fact, Conclusions of Law and Order dated December 7, 2000. Compliance was achieved on October 17, 2003. A re-inspection was performed on May 24, 2004, which found that the violation was being repeated.

The Respondent shall correct the violation by **August 13, 2004**. In order to correct the violation, the Respondent shall take the following remedial action:

- (1) REMOVE THE UNCULTIVATED VEGETATION IN EXCESS OF
24" IN HEIGHT AND WITHIN 75' OF A STRUCTURE.**

If the Respondents do not comply with this Order, a fine of **\$100.00** will be imposed for each day the violation continues to be repeated after **August 13, 2004**. **The fine shall accrue from the day the violation exists or is repeated until the date it is corrected as observed and documented by the Code Officer. The Respondents are further ordered to contact the Seminole County Code Officer to arrange inspection and/or re-inspection of the property as is necessary to verify compliance with this Order.**

SEMINOLE COUNTY CODE ENFORCEMENT BOARD HEARING
JULY 29, 2004

This Order shall be recorded in the public records of Seminole County, Florida.

DONE AND ORDERED this 29th day of July, 2004, in Seminole County, Florida.

BILL FAHEY – YES
STEWART FRITZ – YES

LARRY LAWVER – YES
ANNE BLAKEY – YES

MOTION CARRIED 4 – 0.

.....
Case No: 04-51-CEB
George Green
Code Enforcement Officer: Dorothy Hird
Complaint No: 2003CE000370

New Case.

Violation Charged: Seminole County Code, Chapter 95, Section 95.4 as defined in Section 95.3(g)(j)(l).
Described as: 1) Accumulation of trash and debris on property.
2) Used or scrap building materials.
3) Junked or abandoned vehicle not kept within an enclosed garage or an attached carport.
Location: 77 Spring Street, Altamonte Springs (Commission District 4)
Tax Parcel ID # 07-21-30-504-0000-0120

Dorothy Hird, Code Enforcement Officer, testified on behalf of the County and entered into evidence photographs of the violations. Officer Hird advised the Board that she re-inspected the property this morning and the only violation that remains is the trash and debris. The Respondent has removed the used or scrap building materials and the junk vehicle.

Officer Hird advised the Board that the junk vehicle violation is a recurring problem and requested that the Board order the Respondent to refrain from repeating this violation in the future.

After discussion of this case by the Board:

**MOTION BY LARRY LAWVER, SECONDED BY ANNE BLAKEY THAT
THE FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER BE:**

FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER

Based on the testimony and evidence presented in case number 04-51-CEB, it is determined that the Respondent is:

- (a) the owner of record of the property (Tax Parcel ID #07-21-30-504-0000-0120) located at 77 Spring Street, Altamonte Springs, located in Seminole County and legally described as follows:
LEG LOT 12 ORANGE ESTATES PB 16 PG 56
- (b) in possession or control of the property; and
- (c) in violation of Seminole County Code, Chapter 95, Section 95.4 as defined in 95.3(g)(j)(l).

It is hereby ordered that the Respondent correct violation number **1** (accumulation of trash and debris) on or before **August 13, 2004**. In order to correct the violation, the Respondent shall take the following remedial action:

1) REMOVE THE ACCUMULATION OF TRASH AND DEBRIS LOCATED ON THE PROPERTY.

If the Respondent does not comply with the Order, a fine of **\$50.00 per day** will be imposed for each day the violation continues, or is repeated after compliance past **August 13, 2004**. **The Respondent is further ordered to contact the Seminole County Code Officer to arrange for an inspection of the property to verify compliance. Any fine imposed shall continue to accrue until such time as the Code Officer inspects the property and verifies compliance with this Order.**

It is further ordered that the Respondent did correct violation number **2** (scrap building materials) and **3** (junk or abandoned vehicle(s) not kept within an attached carport or enclosed garage) and is ordered to refrain from repeating these violations. If the Respondent repeats violations **2** and **3** after **July 29, 2004**, a fine of **\$50.00 per day**, will be imposed for each day the violations are repeated. **The Respondent is further ordered to contact the Seminole County Code Officer to arrange for an inspection of the property to verify compliance. Any fine imposed shall continue to accrue from the date the violations were repeated until such time as the Code Officer inspects the property and verifies compliance with this Order.**

- 2) USED OR SCRAP BUILDING MATERIALS LOCATED ON THE PROPERTY.**
- 3) JUNK OR ABANDONED VEHICLE(S) NOT KEPT WITHIN AN ATTACHED CARPORT OR ENCLOSED GARAGE.**

SEMINOLE COUNTY CODE ENFORCEMENT BOARD HEARING
JULY 29, 2004

This Order shall be recorded in the official land records of Seminole County and shall constitute a lien against the land on which the violations exists and upon any other real or personal property owned by the Respondent.

DONE AND ORDERED this 29th day of July, 2004, in Seminole County, Florida.

**BILL FAHEY – YES
STEWART FRITZ – YES**

**LARRY LAWVER – YES
ANNE BLAKEY – YES**

MOTION CARRIED 4 – 0.

.....
Case No: 04-54-CEB
Carl F. Wessels, Per Rep
Estate for Irene M. Wessels
Code Enforcement Officer: Dorothy Hird
Complaint No: 2004CE000279

New Case.

Violation Charged: Seminole County Code, Chapter 95, Section 95.4 as defined in Section 95.3(l).
Described as: 1) Junked or abandoned vehicle not kept within an enclosed garage or an attached carport.
Location: 1310 Winston Road, Maitland (Commission District 4)
Tax Parcel ID # 20-21-30-503-0M00-0010

Dorothy Hird, Code Enforcement Officer, testified on behalf of the County and entered into evidence photographs of the violation. Officer Hird advised the Board that she re-inspected this property this morning and the violation remains.

After discussion of this case by the Board:

**MOTION BY LARRY LAWVER, SECONDED BY STEWART FRITZ THAT
THE FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER BE:**

FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER

Based on the testimony and evidence presented in case number 04-54-CEB, it is determined that the Respondent is:

- (a) the owner of record of the property (Tax Parcel ID # 20-21-30-503-0M00-0010) 1310 Winston Road, Maitland, located in Seminole County and legally described as follows:
LEG S 19.5 FT OF LOT 1 + N 65.5 FT OF LOT 2
BLK M ENGLISH ESTATES UNIT 2
PB 13 PG 85
- (b) in possession or control of the property; and
- (c) in violation of Seminole County Code, Chapter 95, Section 95.4 as defined in 95.3(l).

It is hereby ordered that the Respondent correct the violation on or before **August 13, 2004**. In order to correct the violation, the Respondent shall take the following remedial action:

- 1) REPAIR OR REMOVE ANY VEHICLE THAT CANNOT OPERATE LEGALLY ON THE PUBLIC ROAD RIGHT OF WAY, IF IT WERE PROPERLY LICENSED, OR PLACE VEHICLE IN AN ATTACHED CARPORT OR ENCLOSED GARAGE.**

If the Respondent does not comply with the Order, a fine of **\$50.00** per day will be imposed for each day the violation continues, or is repeated after compliance past **August 13, 2004**. **The Respondent is further ordered to contact the Seminole County Code Officer to arrange for an inspection of the property to verify compliance. Any fine imposed shall continue to accrue until such time as the Code Officer inspects the property and verifies compliance with this Order.**

This Order shall be recorded in the official land records of Seminole County and shall constitute a lien against the land on which the violations exists and upon any other real or personal property owned by the Respondent.

DONE AND ORDERED this 29th day of July, 2004, in Seminole County, Florida.

**BILL FAHEY – YES
STEWART FRITZ – YES**

**LARRY LAWVER – YES
ANNE BLAKEY – YES**

MOTION CARRIED 4 – 0.

SEMINOLE COUNTY CODE ENFORCEMENT BOARD HEARING
JULY 29, 2004

Case No: 04-16-CEB
Jimmie L. & Ruby L. Smith
Code Enforcement Officer: Dorothy Hird
Complaint No: 2003CE000110

This case was heard by the Board on April 22, 2004 and an Order was entered giving the Respondent a compliance date of May 21, 2004. An Affidavit of Non-Compliance was filed by the Code Officer on May 24, 2004. An Affidavit of Compliance was filed by the Code Officer on July 13, 2004. This property is currently in compliance.

Requested Board action: Staff requests that Board issue an Order constituting a lien in the amount of \$2,550.00, 51 days of non-compliance at \$50.00 per day from May 22, 2004 through July 12, 2004, be recorded in the public records.

Violation Charged: Seminole County Code, Chapter 95, Section 95.4 as defined in Section 95.3(l).
Described as: 1) Junked or abandoned vehicle not kept within an enclosed garage or an attached carport.
Location: 1257 DePugh Street, Altamonte Springs (Commission District 4)
Tax Parcel ID # 18-21-30-501-0200-0080

Dorothy Hird, Code Enforcement Officer, testified on behalf of the County and made a request of the Board to rescind the current fine/lien imposed against the Respondents. Officer Hird advised the Board that the Respondents are currently in compliance.

After discussion of this case by the Board:

**MOTION BY ANNE BLAKEY, SECONDED BY LARRY LAWVER
THAT THE ORDER RESCINDING FINE/LIEN BE:**

ORDER RESCINDING FINE/LIEN

The Respondents are the owners of record of the property (Tax Parcel # 18-21-30-501-0200-0080) located at 1257 DePugh Street, Altamonte Springs, located in Seminole County and legally described as follows:

LEG LOT 8 BLK 2 LAKEVIEW PB 5 PG 14

This case came on for public hearing before the Code Enforcement Board of Seminole County on the April 22, 2004, after due notice to the Respondents. The Board, having heard testimony under oath and having received evidence, issued its Findings of Fact, Conclusions of Law and Order.

Said Order found Respondents in violation of Seminole County Code, Chapter 95, Section 95.4 as defined in Section 95.3(l).

Said Order stated that a fine in the amount of \$50.00 per day would be imposed if the Respondents did not take certain corrective action by May 21, 2004.

An Affidavit of Non-Compliance bearing the date of May 24, 2004, has been filed with the Board by the Code Enforcement Officer, which Affidavit certifies under oath that the required action has not been obtained.

An Affidavit of Compliance bearing the date of July 13, 2004, has been filed with the Board by the Code Enforcement Officer, which Affidavit certifies under oath that the required action has been obtained.

Accordingly, it having been brought to the Board's attention that Respondents have complied with the Order dated April 22, 2004, the Board orders that the fine of \$2,550.00, 51 days of non-compliance at \$50.00 per day imposed against the property, **be rescinded.**

This Order shall be recorded in the public records of Seminole County, Florida.

DONE AND ORDERED this 29th day of July, 2004, in Seminole County, Florida.

**BILL FAHEY – YES
STEWART FRITZ – YES**

**LARRY LAWVER – YES
ANNE BLAKEY – YES**

MOTION CARRIED 4 – 0.

SEMINOLE COUNTY CODE ENFORCEMENT BOARD HEARING
JULY 29, 2004

Case No 04-14-CEB
Charles W. Todd
Code Enforcement Officer: Dorothy Hird
Complaint No: 2003CE000104

This case was heard by the Board on May 20, 2004 and an Order was entered giving the Respondent a compliance date of June 11, 2004. An Affidavit of Non-Compliance was filed by the Code Officer on June 14, 2004. This property is not in compliance at this time.

Requested Board action: Staff requests the Board issue an Order constituting a lien in the amount of \$4,700.00, 47 days of non-compliance from June 12, 2004 through and including July 29, 2004, at \$100.00 per day be recorded in the public records and the fine shall continue to accrue at \$100.00 per day for each day the violation continues past July 29, 2004.

Violation Charged: Seminole County Code, Chapter 95, Section 95.4 as defined in Section 95.3(h)(i)(l).
Described as: 1) Uncultivated vegetation in excess of 24" and within 75' of a structure.
2) Remains or rubble of a structure which has been burned, stricken by other casualty or demolished.
3) Junked or abandoned vehicle not kept within an enclosed garage or an attached carport.
Location: 614 E. Orange Street, Altamonte Springs (Commission District 4)
Tax Parcel ID # 12-21-29-5BD-5100-0010

Dorothy Hird, Code Enforcement Officer, testified on behalf of the County and advised the Board that the Respondents remain in violation.

After discussion of this case by the Board:

**MOTION BY ANNE BLAKEY, SECONDED BY STEWART FRITZ THAT
THE ORDER FINDING NON-COMPLIANCE AND IMPOSING FINE/LIEN BE:**

ORDER FINDING NON-COMPLIANCE AND IMPOSING FINE/LIEN

The Respondent is the owner of record of the property (Tax Parcel # 12-21-29-5BD-5100-0010) located at 614 E. Orange Street, Altamonte Springs, located in Seminole County and legally described as follows:

LEG LOTS 1 & 2 BLK 51 SANLANDO
PB 3 PG 65 1/2

This case came on for public hearing before the Code Enforcement Board of Seminole County on May 20, 2004, after due notice to the Respondent. The Board, having heard testimony under oath and having received evidence, issued its Findings of Fact, Conclusions of Law and Order.

Said Order found Respondent in violation of Seminole County Code, Chapter 95, Section 95.4 as defined in 95.3(h)(i)(l).

Said Order stated that a fine in the amount of \$100.00 per day, would be imposed if the Respondent did not take certain corrective action by June 11, 2004.

An Affidavit of Non-Compliance bearing the date of June 24, 2004, has been filed with the Board by the Code Enforcement Officer, which Affidavit certifies under oath that the required action has not been obtained.

Accordingly, it having been brought to the Board's attention that Respondent has not complied with the Order dated May 20, 2004, the Board orders that a fine of **\$4,700.00**, 47 days of non-compliance at \$100.00 per day, be imposed against the property and the fine shall continue to accrue at **\$100.00 per day** for each day the violations continue past July 29, 2004.

The Respondent must contact the Code Enforcement Officer to arrange for an inspection of the property to verify compliance. The fine imposed shall continue until such time as the Code Enforcement Officer inspects the property and establishes the date of compliance.

This Order shall be recorded in the official land records of Seminole County and shall constitute a lien against the land on which the violations exists and upon any other real or personal property owned by the Respondent.

DONE AND ORDERED this 29th day of July, 2004, in Seminole County, Florida.

**BILL FAHEY – YES
STEWART FRITZ – YES**

**LARRY LAWVER – YES
ANNE BLAKEY – YES**

MOTION CARRIED 4 – 0.

~~~~~

**VII Approval of the minutes from the meeting of June 24, 2004.**

**MOTION BY STEWART FRITZ, SECONDED BY BILL FAHEY TO  
APPROVE THE MINUTES FROM THE MEETING OF JUNE 24, 2004.**

**VIII Confirmation date of next meeting: August 26, 2004**

**IX Old Business – None**

**X New Business –**

**General discussion of the Mandate from the Circuit Court of Appeal affirming the decision of the Code Enforcement Board in the matter of Code Enforcement Case # 03-15-CEB, Dawn M. Lynch and Joseph F. and Jean Anne Russi vs. Seminole County.**

**XI Adjourn – There being no further discussion, this meeting was adjourned at 2:38 pm.**

**Respectfully submitted:**

\_\_\_\_\_  
**Connie R. DeVasto  
Clerk to the Code Enforcement Board**

\_\_\_\_\_  
**William K. Fahey  
Acting Chair**

07-29-04 minutes